



State of New Hampshire
PUBLIC EMPLOYEE LABOR RELATIONS BOARD

LOCAL UNION NO. 1444, AMERICAN FEDERATION OF STATE, COUNTY AND MUNICIPAL EMPLOYEES, AFL-CIO

Complainant

v.

CITY OF BERLIN, NEW HAMPSHIRE

Respondent

CASE NO. A-0405:3

DECISION NO. S3-36

APPEARANCES

Representing Local 1444, AFSCME:

James C. Anderson, Executive Director, Council #68, AFSCME

Representing the city of Berlin:

Mitchell A. Berkowitz, City Manager

BACKGROUND

Local #1444, American Federation of State, County and Municipal Employees, AFL-CIO (AFSCME) filed unfair labor practice charges against the city of Berlin for changing the method of payment of wages from weekly to bi-weekly, causing undue hardship on the employees, in violation of the existing agreement.

The City responded that the policy decision to transition into bi-weekly payroll did not violate the existing contractual agreement, but merely exercised its right under Article XXXVIII - "Management of Municipality" of the current agreement and RSA 273-A:2, XII, "Managerial Policy".

A hearing was held on July 8, 1983 in the Board's (PELRB) office in Concord.

After reviewing the testimony and exhibits presented at hearing, the Board issues the following opinion:

OPINION

Without prejudice to the position of the City that the payment period is a matter of management prerogative, or to the position of the Union that, by contract and statute, this item is the subject of mandatory negotiations, the parties are directed to meet and confer within the next sixty (60) days to seek to resolve the accounting and other inconveniences or inconsistencies created by the conversion to bi-weekly payroll.

Before sixty (60) days from the date hereof (no later than October 11, 1983), the parties shall report to this Board on the results of their efforts.



JOHN M. BUCKLEY, Alternate Chairman
PUBLIC EMPLOYEE LABOR RELATIONS BOARD

By unanimous vote. Chairman Buckley presiding, members Seymour Osman and Russell F. Hilliard present and voting. Also present, Executive Director Evelyn C. LeBrun.

Signed this 11th day of August, 1983.